

Remarks

By the Restriction Requirement and Request for Election dated March 18, 2003, Applicants were required to elect one invention from a total of 585 Groups and further to elect a single SEQ ID NO: from the claimed sequences. Applicants elected, with traverse, to prosecute the invention of Group 70 which is drawn to and includes polynucleotides encoding polypeptides with the sequence of SEQ ID NO:1-65, respectively, vectors containing said polynucleotides, host cells containing said vectors and a method of producing polypeptides utilizing the aforementioned polynucleotides.

In responding to the Examiner's request for election of a single SEQ ID NO:, Applicants intended to select the invention of Group 70, drawn to polynucleotides encoding polypeptides with the sequence of SEQ ID NO:5, vectors containing said polynucleotides, host cells containing said vectors and a method of producing polypeptides utilizing the aforementioned polynucleotides. In the Response to Restriction Requirement and Request for Election mailed May 15, 2003 and received in the USPTO on May 19, 2003, Applicants inadvertently elected, with traverse, to prosecute SEQ ID NO:70 which had been assigned by the Examiner to Group 135. This apparently led to some confusion which prompted the Examiner to send the Office Communication dated July 30, 2003.

Applicants therefore reiterate the election, with traverse, of the invention of Group 70 which is drawn to and includes polynucleotides encoding polypeptides with the sequence of SEQ ID NO:5, vectors containing said polynucleotides, host cells containing said vectors and a method of producing polypeptides utilizing the aforementioned polynucleotides. The claims of Group 70 include claims 22-26 as those claims relate to polynucleotides encoding polypeptides with the sequence of SEQ ID NO:5.

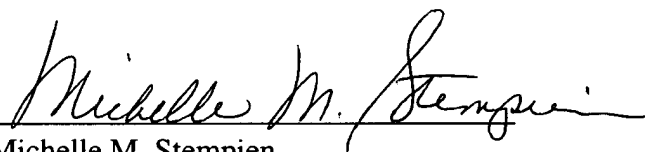
It is therefore respectfully requested that the present application be examined in view of the clarification and comments provided in this response.

CONCLUSION

Applicants believe that no fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge Deposit Account No. 09-0108.

Respectfully submitted,  
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Date: 27 August 2003

  
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